

AMENDED IN ASSEMBLY AUGUST 10, 1998
AMENDED IN ASSEMBLY JUNE 25, 1998
AMENDED IN ASSEMBLY SEPTEMBER 9, 1997
AMENDED IN ASSEMBLY JULY 9, 1997
AMENDED IN SENATE MAY 22, 1997
AMENDED IN SENATE MAY 1, 1997
AMENDED IN SENATE MARCH 31, 1997

SENATE BILL

No. 491

Introduced by Senator Brulte

February 20, 1997

An act to add ~~Sections 14672.14 and 14672.16~~ *Section 14672.14* to the Government Code, relating to state property.

LEGISLATIVE COUNSEL'S DIGEST

SB 491, as amended, Brulte. State property: public use.

(1) Under existing law, the Director of the Department of General Services, with the consent of the Department of Corrections, is authorized to lease, without any monetary consideration, 140 acres of state property to the City of Chino, subject to specified conditions, to serve as a peripheral buffer area or zone between real property upon which is located the California Institution for Men and adjacent real property for the development and maintenance of a public park and recreational improvements and facilities, including commercial enterprises that are incidental or consistent with

these uses. The City of Chino is also authorized to sublease a portion or all of this property for these purposes and up to an additional 30 acres to expand the public park.

~~This bill would authorize the Department Director of General Services, in cooperation with the Youth and Adult Correctional Agency, to use \$250,000 provided in the Budget Act of 1998 to complete the first phase of a master facilities plan by April 1, 1999, for the Department of Corrections' California Institution for Men property located in the City of Chino with the consent of the Department of Corrections, to lease state property to the City of Chino for a term not to exceed 55 years for the development of a golf course.~~

~~(2) Under existing law, the Director of General Services is authorized to approve the transfer of state property from one state agency to another state agency for the payment of such consideration as he or she deems proper. Under existing law, land that has been declared surplus by the Legislature may be transferred to local agencies for park and recreational purposes under specified conditions at less than fair market value.~~

~~This bill would also authorize the Director of the Department of General Services, with the concurrence of the Director of the Department of Corrections, to convey to, exchange with, or lease to the City of Chino, at less than fair market value, 290 acres of the state property referred to in (1) above, to develop, maintain, operate, and preserve a public park, subject to specified conditions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 14672.14 is added to the
2 Government Code, to read:
3 14672.14. (a) ~~The amount of two hundred fifty~~
4 ~~thousand dollars (\$250,000) is provided in the Budget Act~~
5 ~~of 1998 for the Department of General Services, in~~
6 ~~cooperation with the Youth and Adult Correctional~~
7 ~~Agency, to complete by April 1, 1999, the first phase of a~~
8 ~~master facilities plan for the Department of Corrections'~~

1 ~~California Institution for Men property, located in the~~
2 ~~City of Chino, San Bernardino County.~~

3 ~~(b) The plan shall assess, as the first priority for use of~~
4 ~~the property, the conveyance of approximately 290 acres~~
5 ~~to the City of Chino for the development of a park for the~~
6 ~~use and recreation of the public. In the interest of the~~
7 ~~economic development of the City of Chino and~~
8 ~~consistent with the Department of General Services'~~
9 ~~October 1997 Land Use Analysis CIM study, the plan shall~~
10 ~~also identify other portions of this property that are~~
11 ~~suitable for public development for residential,~~
12 ~~commercial, industrial, schools, and parks use.~~

13 ~~(c) Although the study shall not evaluate any further~~
14 ~~expansion of any state correctional facilities, it shall~~
15 ~~evaluate if any current California Institution for Men~~
16 ~~function may be relocated to a more efficient location,~~
17 ~~such as housing for parole violators, reception center, or~~
18 ~~geriatric inmate housing.~~

19 ~~(d) In conjunction with the master plan, the~~
20 ~~department shall also prepare an analysis of the existing~~
21 ~~wastewater treatment plant, including identification of~~
22 ~~the cost to provide tertiary treatment, the cost to expand~~
23 ~~the plant to process wastewater from all present and~~
24 ~~planned future state operations, and an analysis of~~
25 ~~abandoning the plant and receiving treatment services~~
26 ~~from a planned new regional wastewater treatment~~
27 ~~plant.~~

28 ~~(e) The master plan shall also include an analysis of the~~
29 ~~current and future land use requirements of the Prison~~
30 ~~Industry Authority dairy operations.~~

31 ~~SEC. 2. Section 14672.16 is added to the Government~~
32 ~~Code, to read:~~

33 ~~14672.16. (a) Notwithstanding Section 14670, the~~
34 ~~Director of General Services, with the concurrence of the~~
35 ~~Director of the Department of Corrections, may convey~~
36 ~~to, exchange with, or lease for a term of longer than 25~~
37 ~~years to the City of Chino, at less than fair market value,~~
38 ~~approximately 170 acres of existing Department of~~
39 ~~Corrections property leased to the City of Chino,~~
40 ~~pursuant to Section 14672.15, and an additional 120 acres~~

1 of adjacent property upon which is located the California
2 Institution for Men. However, the ownership of the
3 portion of the adjacent property along Edison Avenue
4 where the current wastewater facility is located shall
5 continue to remain with the state. The city shall develop,
6 maintain, operate, and preserve the park for the use and
7 recreation of the public.

8 (b) The deed or other instrument of transfer shall
9 provide that the property shall be used only for public and
10 recreation purposes, including a public golf course, and
11 if violated, the state shall have the right to reenter and
12 take possession of the property, and upon that reentry,
13 title thereto shall revert to the State of California. The
14 deed or other instrument of transfer shall further provide
15 for the property to revert to the state if, within a period
16 not to exceed 10 years from the date of transfer, the
17 property is not developed to provide for public
18 recreational use and enjoyment. The Director of General
19 Services may provide additional terms and conditions
20 that he or she determines to be in the best interest of the
21 state.

22 (c) Upon the conveyance of the total 290 acres of state
23 property to the City of Chino, the existing lease
24 agreements between the City of Chino and the
25 Department of Corrections for the 140 acres authorized
26 pursuant to subdivision (a) of Section 14672.15 and the
27 additional 30 acres authorized pursuant to subdivision (b)
28 of that section shall be terminated by operation of law.

29 14672.14. Notwithstanding Section 14670, the
30 Director of General Services, with the consent of the
31 Department of Corrections, upon those terms and
32 conditions that the director deems in the best interest of
33 the state, may lease to the City of Chino for a term not to
34 exceed 55 years, state property for the purpose of
35 development of a golf course. The lease shall be
36 nonassignable with the city having a right to sublease a
37 portion of or all of the premises for uses consistent with
38 those permitted in the lease. The lease shall be consistent
39 with a memorandum of understanding negotiated
40 between the Department of Corrections, the

1 *Department of General Services, and the City of Chino.*
2 *The specific location of land locating the golf course*
3 *development shall be consistent with the Master Land*
4 *Use Plan to be prepared by the Department of*
5 *Corrections and the Department of General Services.*

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